

9/3

Notice of Allowability	Application No.	Applicant(s)	
	09/928,346	YAMAUCHI ET AL.	
	Examiner	Art Unit	
	Tianjie Chen	2652	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07/09/2004.
2. ☒ The allowed claim(s) is/are 2,3,5 and 6.
3. ☒ The drawings filed on 14 August 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>10/26/2004</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Melvin Kraus on 10/26/2004.

The application has been amended as follows:

- In claim 2, line 12; claim 5, line 14; and claim 6, line 14; "emitted from" has been deleted; respectively.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:
- With regard to claim 2, as the closest reference, the combination of Kajiyama et al and Seki et al shows a disc driving apparatus, wherein the laser diode and the laser driver circuit board are mounted in thermal contact with the pickup housing so as to be disposed adjacent to each other, while providing a thermal separation portion for thermally separating the laser diode and the laser driver circuit board; **but fails to show** the thermal separation portion includes a dividing portion formed with either one of a slit portion or a recess gutter, for dividing the pickup housing, disposed between the laser diode and the laser driver circuit board, and a heat separation member disposed in the dividing portion.

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- With regard to claims 5 and 6, as the closest reference, the combination of Kajiyama et al and Seki et al, and Asoma (US 6,459,672) shows a disc driving apparatus, wherein the laser diode and the laser driver circuit board are mounted in thermal contact with the pickup housing so as to be disposed adjacent to each other, while providing a thermal separation portion for thermally separating the laser diode and the laser driver circuit board; **but fails to show** the prism and the mirror of the optical portions and the optical detector are disposed nearer to the laser diodes for use with a CD and DVD than to the thermal separation portion (Claim 5) and the thermal separation portion is provided so as to thermally separate either one of between the laser diode for use of the CD and the laser diode for use of the DVD, and between the laser driver circuit board and the objective lens driver (Claim 6).
- Applicant asserts that the device with above structure would reduce the thermal interference between heat-generating elements disposed in close proximity with each other, in particular, in the pickup, so as to enable protection of the heat-generating elements from deterioration leading to reduction in the lifetime thereof, and improve the accuracy of reproducing or reproducing/recording (Specification, p. 4, line 21 to p. 5, line 2).

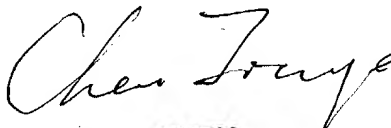
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is (703) 305-7499. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


TIANJIE CHEN
PRIMARY EXAMINER

10/26/2004